Exhibit OK 3(a) – Guidance for Completing Environmental Evaluations

National NRCS policy requires an environmental evaluation on all planning activities. The following form and guidance must be used to document this activity, regardless of land user objectives. The OK-CPA-52 (Exhibit OK3) will be completed for every planning activity and conservation plan developed in Oklahoma and become part of the case file documentation. This form contains the necessary documentation needed for National Environmental Policy Act (NEPA) compliance.

(1) Natural Resources

Soil, Water, Air, Plants, and Animals are the basic natural resources to be considered and evaluated during the conservation planning process. See Section III of the FOTG for specific information on each resource.

(2) Human Resources

Social Considerations

NRCS provides assistance to protect, maintain, and improve soil, water, air, plant, and animal resources, as well as human resources. Social and cultural considerations are a part of this assistance. Social evaluations are conducted by the NRCS to meet the requirements of law, executive orders, administrative decisions and directives.

Social evaluations identify the effects, both positive and negative, of specific practices and programs on quality of life and social well being. Social evaluations provide a basis for minimizing adverse effects and for maximizing beneficial effects during the planning of a project or program.

Even when not required by law, social evaluations are a valuable planning tool because they identify areas of potential conflict and options for decision making that might not otherwise be apparent. Most importantly, social evaluations demonstrate a commitment by NRCS to consider social needs as well as resource conservation needs.

Refer to the National Planning Procedures Handbook (NPPH), Part 600.11 (h), Social and Economic Considerations; Part 600.46, Working with Individuals and Groups, and General Manual (GM) Part 420, for information on social considerations.

Economic Considerations

The policy of the NRCS is that economics is an essential consideration in all agency decision making. Economic principles must be applied in the planning, implementation, and evaluation of agency policies and program activities to provide the most cost-effective assistance to customers, cooperators, and partners for the sustained use of natural resources.

For nationwide consistency in the application of economics in all NRCS activities, the National Resource Economics Handbook, Sections 610-612, and other directives will be used as guidance. This guidance is for the integration of economics into conservation planning, program implementation, and program evaluation at the field, state, regional and national offices of the agency. Also refer to Section I of the Field Office Technical Guide (FOTG) under Cost Data, for specific information on budgets and the economics of applying conservation practices.

(3) Special Resources

The following information is provided to assist NRCS planners in the evaluation and documentation of Special Resources identified on the *Environmental Evaluation for Conservation Planning* summary sheet (OK-CPA-52, Exhibit OK3).

Prime Farmlands

Prime Farmland is land that has the best combination of physical, chemical and biological characteristics for producing food, feed, fiber and oil seed crops. The land is available for these uses as cropland, pastureland, rangeland, forestland or as other land; but not urban "built up" land or water areas. Prime Farmland areas have the soil quality, moisture supply, and growing season to economically produce sustained high yields of crops when those lands are treated and managed, including water management, according to acceptable farming methods. See Section II of OKFOTG for listings of prime farmlands. NRCS policy on prime farmlands can be found in 310-GM Part 403.

Threatened and Endangered Species

Section 7 of the Endangered Species Act requires that all Federal agencies, in consultation with and with the assistance of the Secretary of the Interior, shall insure that its agency actions and activities do not jeopardize the continued existence of threatened and endangered (T&E) species or result in the destruction or adverse modification of the species critical habitat. Critical habitat is determined by the U.S. Fish and Wildlife Service. See Section II of the OKFOTG for listings of threatened and endangered species, habitat requirements, and practices that may adversely affect T&E species.

Threatened and endangered species are those U.S. plant and animal species which are reduced in numbers, making extinction a high probability. The disappearance of these species would be a biological, cultural and in some cases an economic loss to the Nation. The species continued existence contributes to scientific knowledge and understanding, adds to recreational and commercial pursuits, and provides interest, purpose and variety to human existence. NRCS policy on endangered species can be found in 190-GM Part 410.22.

Landscape Resources

Landscape resource management is the process of manipulating the physical elements and functions of the landscape to achieve specific resource objectives. The landscape has a consistently definable appearance that can be described by the measurable visual elements of landform, water, vegetation, structures and sky. Four of the visual elements (landform, water, vegetation & structures) provide a ready basis for describing the changing countryside landscape as altered by human decisions.

Landform - The shape of the land including topography, slope, and aspect seems to be the most noticeable element, particularly as it relates to the horizon.
Vegetation - Vegetation within the landscape includes agricultural crops, which can vary widely in size, form, color, texture and planting pattern.
Structures - Farmhouses, barns, silos, wooden fences, stone walls, windmills and two-lane roads are some examples of the agriculturally related structures. New technologies, such as metal farm buildings and silos and pre-fabricated houses, are now part of today's countryside landscape.
Water - Water can add to aesthetic quality, modify temperatures, serve as a buffer between use areas, and direct attention from undesirable views. Its characteristics are gurgling, rushing, spurting, falling, calm or placid. Its shape, whether water course or water body, also adds value to the landscape.

When all of the above elements are combined, they form patterns or images that collectively we label as the “landscape”. NRCS policy on landscape resources can be found in 190-GM Part 410.24.

Natural Areas

Natural areas are defined as land and water units where natural conditions are maintained. Natural conditions result when ordinary physical and biological processes operate with a minimum of human intervention. Manipulations of natural areas may be needed to maintain or restore features where degradation of those natural features has occurred.

Natural areas may be designated areas of the Federal Government, State Government, or privately controlled land. Designation may be formal, as provided under Federal regulations, or by foundations or conservation organizations, which were specifically created to acquire and maintain natural areas. Designation may be informal in the case of private landowners who designate a specific area as a natural area and manage it accordingly.

It is the policy of the Natural Resources Conservation Service (NRCS) to recognize natural areas, if so dedicated, as a land use, and will support the designation of appropriate natural areas. NRCS employees, who provide technical assistance to land users must inform them about the potentially adverse impact that the land user’s decisions may have on adjacent or nearby natural areas. Land users will be encouraged to consult with concerned agencies, societies, and individuals to arrive at mutually satisfactory land use and treatment. NRCS policy on natural areas can be found in 190-GM Part 410.23.

Wild and Scenic Rivers

A Wild and Scenic River is a free-flowing river or river-segment that has outstanding scenic, recreational, geologic, fish-and-wildlife, historic, archaeological, or other values. This type of river is designated by act of Congress (PL. 90-542) or by the Secretary of the Interior as part of the National Wild and Scenic Rivers System.

The designation of a river under the Wild and Scenic Rivers Act provides legal protections from adverse development and provides a mechanism for management of the river’s resources. The principal effect of the Act is to preclude or to severely limit the construction of dams and other water resource projects that might affect the free-flowing character of the river and its associated resources.

Management standards or requirements have been developed for three classes of rivers: (1) *Wild Rivers,* (2) *Scenic Rivers,* and (3) *Recreational Rivers*. Ongoing regular uses of private lands, particularly those existing at the time of the river’s designation, are not directly affected. Most private land uses are compatible with Wild, Scenic and Recreational River management.

Designation has no effect on existing water rights or irrigation systems or other existing developed facilities. New projects and alterations to existing systems, which require Federal permits, may be allowed when they will not have an adverse effect on the values of the river corridor.

Generally, timber harvests and agricultural operations on privately owned lands are unaffected in Wild, Scenic and Recreational River designations. However, some activities may require permits or may be covered under special provisions of the management plan. The Act requires that the management of federally owned timber and grazing lands be done in a manner that protects the river’s values. (See Section I of the Field Office Technical Guide for further information.)

Wetland

Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions.

It is the policy of the NRCS to protect and promote wetland functions and values in all NRCS planning and application assistance. This policy applies to all NRCS technical and financial assistance provided to land users.

Policy, Rules, Regulations, and Laws pertaining to activities in wetlands and other waters of the U.S. can be reviewed under several Federal authorities, including:

- Executive Order 11990
- Food Security Act of 1985 (FSA), and subsequent Acts (FACTA), (FAIRA)
- The Clean Water Act as amended (Section 401, 404)

For a complete analysis of wetlands, their use, definition and jurisdiction, consult the Natural Resources Conservation Service's (NRCS) approved Food Security Act (FSA) manual, and the Corps of Engineers' Wetland Delineation Manual (Technical Report Y-87-1, Corps of Engineers, Washington DC), also known as the COE '87 Manual. NRCS Wetland Assistance Policy can be found in 190-GM Part 410.26.

Special Aquatic Sites

Special Aquatic Sites are those sites that are associated with the water environment. They warrant special attention as specific sites listed under the Clean Water Act, Section 404 (b) (1) dredge and fill guidelines.

Special Aquatic Sites are large or small areas possessing special ecological characteristics of productivity, habitat, wildlife protection or other important and easily disrupted ecological values. These sites are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Special Aquatic Sites include fish and wildlife sanctuaries and refuges, wetlands, mud flats, vegetated shallows, and riffles and pool complexes. Except for wetlands, each item is described in the following paragraphs in accordance with guidance for Federal agencies published in The Federal Register (Dec. 24, 1980, Vol. 45, No. 249, p. 85346, -48, -52, -53).

Fish and wildlife sanctuaries and refuges are areas that are designated under State and Federal laws or local ordinances to be principally managed for the preservation and use of fish and wildlife species. Mud fats are broad flat areas along the sea coasts, rivers or lakes, containing organic matter and particles smaller in size than sand. Flats are unvegetated or vegetated only by algal mats. Vegetated shallows are permanently inundated areas that under normal conditions support communities of rooted aquatic vegetation. Riffle and pool complexes exist in steep gradient streams. Riffles are places where water flows rapidly over the shallow, rocky streambed. This creates a rough and turbulent flow that oxygenates the water and quickly distributes nutrients through the system. Pools are defined by a deep hole in the streambed, slow stream velocity, and a smooth water surface. Riffles and pools are significantly important habitat for fish and wildlife species along the stream.

Riparian Area

Riparian areas are ecosystems that occur along watercourses or water bodies. They are distinctively different from the surrounding lands because of unique soil and vegetative characteristics that are strongly influenced by free or unbound water in the soil. Riparian ecosystems occupy the transitional area between the terrestrial and aquatic ecosystems. Typical examples would include floodplains, stream-banks, and lakeshores.

Although riparian areas constitute only a fraction of the total land area, they are generally very productive in terms of plant and animal species, diversity and biomass. Riparian areas are vital components of the ecosystems in which they occur and are extremely important for flood control and hydrologic function (water quantity, quality, and timing).

Riparian areas are not a land use, but may exist within all land covers and uses, such as cropland, hay land, pastureland, rangeland, and forestland.

Riparian areas are not specifically regulated by federal law. However, portions of riparian areas, such as wetlands, may be subject to federal regulation under provisions of The Food Security Act, The Clean Water Act, The National Environmental Policy Act and state and local legislation.

NRCS planning policy for riparian areas can be found in 190-GM Part 411.03, and states that plans involving riparian area management must maintain or improve water quality and quantity benefits. If the land user's objectives are in conflict with conservation of the riparian area resources, alternatives must be presented that identify ways to resolve conflicts.

Floodplain Management

Floodplains are defined as lowlands or relatively flat areas adjoining inland or coastal waters, including at a minimum areas subject to a one percent or greater chance of flooding in any given year. Floodplains are shown on maps produced by the Federal Emergency Management Agency (FEMA) and on the Natural Resources Conservation Service (NRCS) Watershed Plans and Floodplain Management Studies.

NRCS policy on floodplains can be found in 190-GM Part 410.25 and reflects Executive Order 11988. The E.O. requires that decisions by Federal agencies must recognize that floodplains have unique and significant public values. Federal agencies are instructed to consider the natural and beneficial values of floodplains and the public benefits to be derived from floodplain restoration or preservation.

The objectives of E.O. 11988 are to avoid, to the extent possible, the long and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development where there is a practical alternative.

Through proper planning, floodplains can be managed to reduce the threat to human life, health and property in ways that are environmentally sensitive. Most floodplains are areas with valuable assets that sustain and enhance human existence. Some of these assets are agricultural and forest food and fiber, fish and wildlife, temporary floodwater storage, parks and recreation and environmental values.

Stream Channel Modification

Stream channel modification is an alternative that may be utilized in solving specific water management problems. It may be needed to restore a water course impaired or damaged naturally or through improper management of associated uplands. A thorough knowledge of stream dynamics is essential in order to be able to identify existing and potential problems and evaluate the viability of all alternatives. The US Army Corps of Engineers (COE) should be contacted for any Section IV Clean Water Act permit requirements.

Channel modification, if used, will be the minimum required, either alone or in combination with other measures. It will be accomplished using the least damaging construction techniques and equipment in order to retain as much as possible of the existing characteristics of the channel and riparian habitat. Construction practices include seasonal construction, minimum clearing, reshaping spoil, limiting bank modification to one or alternating banks (to maintain a riparian corridor), and prompt revegetation of disturbed areas.

Channel modification may be considered as an alternative, providing it does not jeopardize the continued existence of State or Federally listed endangered and threatened species, result in restricted access to use of stream segments developed specifically for recreation or fish and wildlife use by the public, and its intended purpose is not to alter wetlands. Channel modification will not be considered as an alternative unless it can be accomplished with little or no direct or indirect adverse effects on: 1) Streams proposed or designated as Wild and Scenic Rivers, or officially designated by Federal or State legislative actions for their important natural , esthetic, or recreational values. 2) Streams located in, or flowing through, or contiguous to, established wilderness areas, parks, refuges, or other areas that have been set aside pursuant to Federal or State legislative actions for fish and wildlife esthetic or recreational values. 3) Important fish and wildlife habitat values in the project area, State or Nation after providing for all appropriate mitigation, compensation, or preservation measures.

Channel modification guidelines and coordination procedures can be found in 190-GM Part 410.27 and Part 410.28.

The Clean Water Act Section 404

Section 404 of the Clean Water Act (CWA) establishes a program that regulates the discharge of dredged and fill materials into waters of the United States (U.S.), including wetlands. Activities in waters that are typically regulated under Section 404 include fill for development, water resource projects (e.g., dams and levees), infrastructure development (e.g., highways and airports), and conversion of wetland. The 404 program is administered by the U.S. Army Corps of Engineers (COE) with the oversight of the Environmental Protection Agency (EPA). Discharge of dredged or fill material into waters of the US is prohibited unless the action is exempted or is covered by permit issued by the COE.

Agricultural Activities Exempt from Section 404: Exemptions include normal farming, silviculture, and ranching activities such as plowing, seeding, cultivating, minor drainage, and harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices. In order to be exempted, the activities must be part of an established farming, silviculture, or ranching operation. An operation ceases to be established when the area has been converted to another use or has lain idle so long that modifications to the hydrologic regime are necessary to resume operations. Any discharge of dredged or fill material into waters of the U.S. incidental to any of the following exemptions whose purpose is to convert any area of the waters of the U.S. into a use to

which it was not previously subject and any dredged or fill material that contains toxic pollutants, must have a permit. Prior notification to the COE for exempted activities is not required.

Activities Requiring Permits: For projects involving potentially significant impacts, authorization must be sought through the issuance of an "individual permit." However, for the great majority of discharges, i.e., those activities that will have only minimal adverse environmental effects, authorization is often granted up-front through the use of a "general permit." General permits may be issued by the Corps on a nationwide or regional basis.

(4) Cultural Resources

Cultural resources are the traces of all the past activities and accomplishments of people. They include tangible traces such as historic districts, sites, buildings, structures; traces of less tangible objects such as dance forms, aspects of folk life, cultural or religious practices; historical documents; and some landscapes, vistas, and cemeteries.

Archeological sites are the most common type of cultural resources found during NRCS assistance. Collection of cultural resource material by NRCS employees while on the job is prohibited. Laws established to protect cultural resources include: the Antiquities Act of 1906, the Historic Site Act of 1935, the National Historic Preservation Act of 1966, the Archaeological Resource Protection Act of 1979, and the Native American Graves Protection and Repatriation Act of 1990.

NRCS policy (7 CFR 656) recognizes that cultural resources are an integral part of our national heritage and recognizes its responsibility for historic preservation, particularly as they are listed in the National Historic Preservation Act.